

VZCZCXYZ0003
PP RUEHWEB

DE RUEHMD #2034/01 2981541
ZNY CCCCC ZZH
P 251541Z OCT 07
FM AMEMBASSY MADRID
TO RUEHC/SECSTATE WASHDC PRIORITY 3692
INFO RUCNCFE/CONVENTIONAL ARMED FORCES IN EUROPE
RUEHBUL/AMEMBASSY KABUL 0137
RUEHUB/USINT HAVANA 0224

C O N F I D E N T I A L MADRID 002034

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E.O. 12958: DECL: 10/17/2017

TAGS: [OSCE](#) [PARM](#) [PREL](#) [SP](#) [CU](#)

SUBJECT: EUR A/S FRIED'S OCTOBER 14-16 MEETINGS IN MADRID

Classified By: DEPUTY CHIEF OF MISSION HUGO LLORENS, REASONS 1.4B AND D

11. (C) Summary: EUR Assistant Secretary Fried visited Madrid October 14-16. The visit was in preparation for the November 29-30 OSCE ministerial. A/S Fried met with FM Moratinos (septel), Presidential foreign policy and security advisor Carles Casajuana, MFA DG for Foreign Policy Rafael Dezcallar, MFA DG for Foreign Policy for Europe and North America Jose Pons, and Moratinos Chief of Staff Javier Sancho. His conversations focused on CFE and missile defense, Kosovo, a variety of OSCE ministerial issues, Afghanistan, Iran, Turkey, Cuba, and overall bilateral relations. He also participated in a roundtable on security challenges in the OSCE framework at the think-tank INCIPE, had lunch with four prominent members of the opposition Partido Popular (PP) who are engaged on foreign policy issues, and gave interviews to Spanish print and television media. End summary.

CFE and Missile Defense

12. (C) A/S Fried briefed his GOS interlocutors on the October 12 - 13 2 2 talks concerning CFE. He explained that the U.S. had presented the Russians with a creative proposal that went beyond the parallel action paper. He said the proposal included a number of ideas for additional steps on Georgia and Moldova (such as transferring Gudauta to Georgian control but providing an alternative logistical support base for Russian PKF and providing a new mandate and OSCE observers for Transnistria), but he cautioned that there was still much to be done. These ideas had yet to be discussed with the Georgians and Moldovans. He asked that the Spanish keep the information out of the press. He noted that the Russian demands regarding elimination of the flanks went too far and in any case required consultation with the affected countries. The U.S. counter was its willingness to discuss the issue. He explained that the idea of early ratification was still alive (perhaps Hungary and Germany - the process of ratification in the U.S. Senate would take much longer). A/S Fried said he was headed from Madrid to Brussels to brief NATO Permanent Representatives. He noted the U.S. was waiting for the Russian response and the initial positive Russian reaction could change. The Spanish were extremely pleased with these developments and obviously hoped a breakthrough on CFE would improve prospects for a successful OSCE ministerial. They acknowledged that the U.S. had been very forthcoming.

13. (C) A/S Fried described to interlocutors from the Presidency and the MFA the joint architecture proposals on missile defense that had been shared with the Russians. He noted that the Russians had seemed thrown off balance by the U.S. technical explanation of how the system could not

threaten Russia but could be greatly enhanced in terms of its intended purpose if Russia agreed to participate. He emphasized that the U.S. was being flexible and trying to include the Russians to the extent practicable (e.g. by showing a willingness to discuss command and control).

Kosovo

14. (C) A/S Fried raised Kosovo in all of his substantive exchanges with Spanish counterparts. He had a particularly in-depth and spirited discussion on Kosovo with Spanish National Security Advisor Carlos Casajuana. Fried emphasized that the U.S. supported the Troika effort, but in reality it was very unlikely a solution could be reached by December 10.

He stressed that Europe and the U.S. needed to continue to support Kosovo post-independence although Russia would try to shut down the international effort. One challenge was to find a way to let the OSCE continue its work, perhaps by moving its assets under another umbrella such as UNMIK.

15. (C) Casajuana expressed concern over the legal basis for continued presence in Kosovo post-independence. A/S Fried explained that French, German, Italian, British, and American lawyers had looked carefully at UNSCR 1244 and concluded that it was not inconsistent with independence and would continue to provide a mandate for the UN and EU even after independence. He noted Javier Solana had publicly expressed the same view. He mentioned a common paper that had not been circulated to this effect. A/S Fried said that while it was not the right time for a public discussion, it was time to begin looking ahead.

16. (C) Casajuana and MFA Foreign Policy Director Dezcallar separately registered Spanish concern that UNSCR 1244 was not in fact legally sufficient for a post-independence scenario. They were concerned about Spanish domestic and especially congressional reaction and the fallout from independence in the Balkans. Casajuana noted that Spanish law required them to justify a military presence in Kosovo with either a request of the host government, a UNSCR, or agreement of NATO or the EU. The first was impossible, the second would run into a Russian veto, and the third might be blocked by Cyprus. Casajuana noted concerns about inflaming Spanish regional ambitions of the Basques and Catalans as a constraining factor on Spain's ability to act in an independent Kosovo. However, Spanish officials insisted that a united Europe was indispensable in dealing with Kosovo and Spain would go all the way in support of a unified position. Spain did not want to see Europe fail. A/S Fried's GOS interlocutors suggested further delay, perhaps until after the Russian elections, would be helpful.

17. (C) A/S Fried said the U.S. was not asking the EU or Spain to recognize Kosovo -- recognition would remain a bilateral issue -- but rather to find a way to continue the international mission and thereby avoid catastrophe. Cyprus could not be allowed to prevent Europe from doing the right thing, and the U.S. could not be expected to shoulder the entire burden. As for delay, A/S Fried reminded his interlocutors that the U.S. had, at European insistence, persuaded the Kosovars last summer to accept the delay until December 10. Europe and Spain had enjoyed ample time to prepare. The U.S. was not going back to the Kosovars and champion another postponement of the inevitable. It would cost the U.S. and Europe all credibility and strengthen radical elements in Kosovo. He said France, Germany, and the UK were prepared to do the right thing; Spain would not be alone. In the end, the question was not simply European unity but whether that was unity for action or for paralysis. Certainly independence would be fraught with problems, and for that very reason Kosovo needed international help. It would be difficult but manageable if the international community stood together. KFOR believed it could cope with such as breakaway Serbs in the north. Serbia would certainly sulk, but they would recover and get on with life within Europe. What was needed was for Spain to remain engaged, not lead a rush to the exit.

Other OSCE Issues

18. (C) A/S Fried raised a number of OSCE issues in his meeting with Pons. On South Ossetia, A/S Fried said Kokoity wanted to increase the number of OSCE monitors both inside and outside the zone of conflict, whereas the Russians only supported an increase outside the zone of conflict (i.e., in Georgia). Clearly they needed to be inside the zone as well. He said the U.S. had other confidence building measures it wanted to advance such as putting OSCE observers in Georgian radar stations. He urged that the OSCE resist Russian obstructionism and noted there was a PC draft decision document circulating on which we hoped to achieve consensus. Regarding the Georgia missile incident, A/S Fried said it could be that the Russian planes (which were certainly present) were fired on by the South Ossetians and the pilot simply panicked and dropped the missile (he noted the motor had fired but the warhead had not detonated). He emphasized the U.S. interest was not to punish the Russians but to prevent such incidents in the future. For this reason observers were needed to watch both the Georgians and the South Ossetians. He noted this would be difficult for Spain as OSCE CIO since the Russians were very emotional on the issue and hated Saakashvili, but he added that if we were seen as helping the Georgians they would be more likely to help us on issues such as CFE.

19. (C) A/S Fried predicted the Russian assault on ODIHR would be a theme at the OSCE ministerial. He said this was one of the most worthwhile activities of the OSCE, and Europe and the U.S. should not give ground on it. He noted OSCE elections observers looked east because that was where most of the problems were. He attributed the recent controversy over observers for the Polish elections to Kaczynski's annoyance with statements by Vaclav Havel and said the U.S. had helped calm the Poles. Pons suggested that OSCE SYG Oliver might usefully adopt a lower profile, especially in the Russian elections.

110. (C) Regarding Kazakhstan's bid for the chairmanship, Pons said Spain as CIO would have to seek consensus. He argued that having Kazakhstan as CIO would send an important signal to Central Asia. Pons said Spain's perception was that Kazakhstan realized their 2009 bid was no longer realistic. A/S Fried said European supporters seemed to be backing away after the recent lopsided election results. Pons said it might be possible to get consensus for 2010, but much depended on the U.S., UK, and others. He urged avoiding written conditions since a precedent for conditionality would become a trap that the Russians or others in the OSCE could use (e.g., Cyprus might use it against Turkey). A/S Fried agreed that explicit written conditions were problematic but asked what would happen if Kazakhstan received a commitment for 2010 and then failed to make progress. What was needed were not explicit conditions but some vague language that would provide an escape clause in such an event.

111. (C) A/S Fried told Pons EUR DAS Kramer would visit Madrid October 22 to introduce Philip Remler, the new head of the OSCE mission to Moldova. He said Remler had the support of the Moldovans and was very well qualified. He added that Russian DFM Kislyak had indicated Russia would not necessarily object to an American.

112. (C) On the Convention on Legal Personality and Privileges and Immunities, A/S Fried noted the experts had nearly finished their work (Fernando de Galainena, Spain's OSCE Task Force Ambassador, noted a text would be completed before the ministerial). He predicted the Russians would try to use this to leverage their idea of a charter which they would use to weaken the OSCE democracy mandate. Pons suggested Russia could be assuaged by offering discussion of the charter issue at some future date. A/S Fried said the U.S. wanted to avoid linking the convention and the charter. Galainena said Spain would be meeting the Russians October 17. He said the Russian position was no charter, no convention, and he

doubted they could be shifted before the ministerial. A/S Fried said that more broadly, the U.S. and Europe should avoid giving way too much to the Russians in this ministerial. The U.S. would welcome a good declaration but could certainly live with a CIO statement as it had in the past. Pons asked what the U.S. would consider a bad declaration. A/S Fried responded that limitations on ODIHR would be unacceptable. Pons then provided a draft declaration (Note: copies have been forwarded to EUR/WE and USOSCE via e-mail. End note). He said Moratinos was eager for a ministerial declaration. A/S Fried again cautioned against letting the Russians warp the debate. There was no need to seek middle ground if faced with Russian demands to weaken the OSCE's democracy activities. He said that Spain should push ahead on things such as the Human Rights Defenders. Even if the Russians were going to block, they were worth fighting for. Pons said he hoped the Human Rights Defenders issue would be resolved before the ministerial.

¶13. (C) Pons said Moratinos was also eager for a ministerial declaration on an environmental security strategy. He said a third draft would be forthcoming and would incorporate many U.S. suggestions. A/S Fried said he would look at the language and hoped we could build on agreement with Europe.

Afghanistan

¶14. (C) A/S Fried expressed appreciation for the work Spain is doing in Afghanistan with its PRT and OLMTs and urged it continue to look for ways to do more on both the civil and military sides. He suggested Spain consider doing something to help the Dutch, who were in a tough fight in the south and who needed a show of support from Western European allies. Casajuana said that while Spain was committed to Afghanistan, sending troops to help the Dutch was politically impossible, especially with Spanish elections only five months away. With Pons, A/S Fried mentioned that the OSCE seemed to be usefully focusing on a northern border mission. Pons agreed this would be a good start for the OSCE in Afghanistan. He said Spain was working on a text and promised to share it.

Iran

¶15. (C) A/S Fried underscored the importance of Europe and the U.S. standing together on the issue of Iran. He praised the French, German, and UK stance. He said that while a UNSCR might be the best option, a united front from Europe and the U.S. was a strong second best. His Spanish interlocutors stated a preference for another UNSCR but accepted that Russia and China would make that impossible. Casajuana (and Moratinos - see septel) said Spain was following the lead of France, Germany, and the UK and supported imposing European sanctions if necessary.

Turkey

¶16. (C) A/S Fried briefed his GOS interlocutors on his visit to Turkey, explaining the Administration's position on the Armenian genocide resolution. On the PKK, he said the U.S. had urged the Turks to consider carefully their options. A cross border raid might be a satisfying gesture, but where could it lead? Casajuana said he had told a Turkish contact that a move into northern Iraq could cripple Turkey's EU bid, but the Turkish attitude seemed to be that dealing with the PKK was a higher priority than EU membership.

Cuba

¶17. (C) A/S Fried pointed out to Dezcallar that this was an unhelpful moment to renew cooperation with Cuba. Spain should not limit its contacts with dissidents, in effect accepting the regime's classification of banned human beings. A/S Fried warned that in trying to engage supposed reform elements in the Cuban Government, Spain might simply

facilitate transition from one dictator to another. Dezcallar argued the Spanish and U.S. approaches could send complementary messages. A/S Fried replied that Spanish engagement might simply mislead the regime into believing it could ignore the truth in favor of what it wanted to hear. Spain had unique influence in Cuba, particularly under a socialist government, and it should use that influence in the right way. Dezcallar said both Zapatero and Moratinos had spoken publicly of the need for democratic transition and Spain maintained contact with the dissidents. He also mentioned that a human rights dialogue with the regime was part of Spain's strategy. Dezcallar said Raul Castro was not Fidel, and repression appeared to have eased somewhat. Spain's approach would be to combine discrete pressure with timely calls for change. A/S Fried urged that Spain listen to countries such as the Czech Republic on the issue.

Spain - U.S Relations

¶18. (C) Dezcallar made a plea for greater U.S. engagement with Spain. He said coordination was excellent on counter-terrorism, the Mediterranean, North Africa, and Latin America, but it would be useful if the U.S. coordinated more frequently on other issues. He said Spain had tailored a suit for itself in the 19th and 20th centuries but with the transition to democracy and the attendant rapid economic growth, the suit no longer fit. Spain was ready to play a more appropriate role in the world. He noted shared interests in the Mediterranean and the Middle East, an area of great national security interest to Spain. He also mentioned Spain's engagement in places such as Afghanistan, Kosovo, and Lebanon. A/S Fried agreed that Spain needed a larger role but said that nations made themselves relevant by providing leadership on difficult issues. Spain would have to take tough and sometimes domestically unpopular decisions in order to be a larger player. For example, Spanish officials cited domestic politics as a reason not to do more in Afghanistan. The Charge noted that the U.S. and Spain maintained a very active dialogue and substantial cooperation on Latin America, counter-terrorism, and counter-narcotics. Dezcallar agreed that much had been accomplished. He urged senior U.S. participation in an Alliance of Civilizations meeting in Spain in January. A/S Fried said the U.S. was looking at various projects, although he expressed concern over high-level group reports blaming the U.S. and Israel for tensions with Islam.

INCIPE Roundtable and Lunch with PP

¶19. (U) During a very well attended roundtable at the Spanish think tank INCIPE (including the Russian and Serbian Ambassadors and Pons), A/S Fried expounded on the possibilities for European - U.S. action in the world based on shared values. He highlighted the challenges in Kosovo, the Middle East, Afghanistan, and Iraq. He underscored the importance of resolving remaining issues in the Balkans and noted settling the issue of Kosovo was a prerequisite. He said the future role of Ukraine and Georgia in Europe should be decided by those countries and the Europeans. He encouraged Russia to find constructive ways to deal with Georgia. He urged aggressive promotion of solutions to the frozen conflicts. A/S Fried said the OSCE had a vital role to play. On missile defense, he emphasized the threat from Iran, saying the U.S. and Europe needed options should diplomatic efforts fail. He said missile defense would be enhanced by NATO and even Russian involvement. On CFE, he

noted the Russian threat of suspension and briefly described the 2 2 talks in Moscow. Kosovo drew most of the questions, with the Russian and Serbian Ambassadors predictably negative on the subject of independence.

¶20. (C) A lunch hosted by the CDA with four members of the PP active on foreign policy issues (Jorge Moragas, Gustavo Aristegui, Baudilio Tome, and Eduardo Gutierrez) rounded out the visit. A/S Fried offered a tour d'horizon similar to

that given at INCIPE, and the PP guests offered their critical assessment of Zapatero's handling of issues such as Cuba and ETA. They expressed optimism about the March elections, saying the PP could recover a number of seats lost in 2004. They said the PP would run on economic issues (especially worries about affordable housing and the mortgage markets), Zapatero's alleged mishandling of regional tensions, and immigration.

¶21. (U) A/S Fried cleared this cable.
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